REMARKS

Claims 1-6 are currently pending in the present application. Claim 1 has been amended in the

expectation that the amendments will place this application in condition for allowance. The

amendments do not introduce new matter within the meaning of 35 U.S.C. § 132. Accordingly, entry

of the amendments is respectfully requested.

1. Claim Rejections under 35 U.S.C. §112, 2nd Paragraph

Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as the

invention. The Examiner stated:

"In claim 1, line 8, the words 'on the' do not agree with the words preceding. The words

'end plates' do not appear to have antecedent basis. In lines 10-11 the words 'both side centers from

anode plate' are not clear and confusing as to where is the location claimed. In line 15, the words

'through each electrode' appear to be misdescriptive because the electrodes do not appear to be

porous. In lines 15-16, is the anode reaction chamber and cathode reaction chamber the same as the

anode chamber and cathode chamber?"

Response

Applicant respectfully traverses this rejection. Claim 1 has been amended for clarity,

punctuation, and to correct the apparent lack of antecedent basis noted by the Examiner.

Specifically, "on the" has been deleted on line 8, which makes the antecedent basis issue with "end

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plates" moot; the phrase "side centered from anode plate (11) and cathode plate (21)," has been

deleted on lines 11 and replaced with --sides--; the phrase "among them" has been deleted on lines

12-13; and the word "go" has been replaced with --pass-- on line 15.

Further, in response to the Examiner's question, the anode chambers (10) and the cathode

chambers (20) are different features than the anode passage (12) and the cathode passage (22), and

the anode reaction chamber (13) and the cathode reaction chamber (23). See for example, page 2,

line 31 to page 4, line 18.

Applicant submits that these amendments remove the bases for the rejection and place the

claims in condition for allowance. Applicant respectfully requests that the rejection under 35 U.S.C.

§ 112, 2nd paragraph be withdrawn.

2. Terminal Disclaimer

Applicant thank the Examiner for reviewing, accepting, and recording the terminal disclaimer

filed on June 21, 2004 disclaiming the terminal portion of any patent granted on this application,

which would extend beyond the expiration date of U.S. Patent No. 6, 132,572.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel

and patentably distinguishable over the prior art of record. Further, Applicant notes the claims have

been amended for reasons relating to clarity, rather than patentability. The Examiner is therefore

respectfully requested to reconsider and withdraw the rejections of pending claims 1-6. Favorable

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action with an early allowance of the claims pending in this application is earnestly solicited. The Examiner is welcomed to telephone the undersigned attorney if he has any questions or comments.

Respectfully submitted,

NATH & ASSOCIATES PLLC

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NATH & ASSOCIATES PLLC 1030 15th Street, N.W. 6th Floor Washington, D.C. 20005

Tel: (202) 775-8383 Fax: (202) 775-8396 Gary M. Nath Reg. No. 26,965 Teresa M. Arroyo Reg. No. 50,015 Derek Richmond Reg. No. 45,771

Customer No. 20529